

Congress of the United States
Washington, DC 20515

June 18, 2019

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street, Southwest
Washington, D.C. 20554

373

Dear Chairman Pai,

We appreciate the Federal Communication Commission's (FCC's) decision to open a Notice of Proposed Rule Making (NPRM) to revitalize Educational Broadband Service (EBS) licenses and make spectrum more readily available for wireless services. We strongly support your commitment to wireless network buildout and addressing the nation's broadband needs. This vitally important work should include making new EBS licenses available to educational entities that could put them to work as the Commission originally had envisioned.

Wireless is an integral component of Nebraska's broadband strategy, especially in our most rural communities. Approximately 64 percent of our 244 school districts have fewer than 500 students K-12. More than half of our school districts occupy a single building. Outside of Douglas County, most of these students' homes are in areas with fewer than five people per square mile. Connecting these students to broadband access they need for homework and other online learning opportunities has been a longstanding challenge. Nearly 20 percent of Nebraska students lack wired internet access at home or are underserved, with internet connections significantly below the FCC's 25Mbps/3Mbps benchmark.

Nebraska is particularly well positioned to leverage EBS licenses. The State Office of the Chief Information Officer and the University of Nebraska jointly manage *Network Nebraska*, a statewide network interconnecting schools and colleges that was created by the Nebraska Legislature in 2007. New EBS licenses could extend *Network Nebraska*'s broadband backbone to connect more students to rich learning opportunities, including helping them acquire the skills they will need after graduation.

In promoting new EBS licensing opportunities for educational entities, we request that the Commission's updated EBS rules permit state-level agencies, such as the Nebraska Department of Education, to acquire EBS licenses for the purpose of implementing statewide solutions that reach rural students. As described in the joint comments filed by the Nebraska Department of Education, Nebraska Educational Television, and the State of Nebraska Office of the Chief Information Officer, we encourage the Commission to consider allowing a state agency to qualify under the definition of "local presence" to enable consistent statewide planning and execution. State Education Agencies are by their nature local to every community and school district.

EBS can help Nebraska close persistent broadband gaps for students, especially in our most isolated rural communities. New EBS licenses will strengthen the state's existing broadband connectivity partnerships, like *Network Nebraska*. We appreciate your attention to this important matter. Thank you for your consideration of this request.

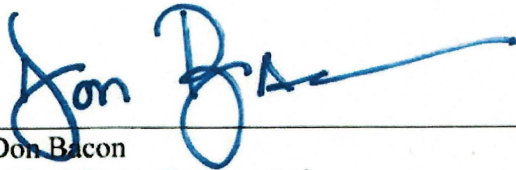
Sincerely,



Deb Fischer
United States Senator



Ben Sasse
United States Senator



Don Bacon
United States Representative



Adrian Smith
United States Representative



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 17, 2019

The Honorable Don Bacon
U.S. House of Representatives
1024 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Bacon:

Thank you for your letter supporting the Federal Communications Commission's recent rulemaking regarding the 2.5 GHz band, specifically addressing the Educational Broadband Service (EBS) portion of that band. Closing the digital divide is the FCC's top priority. Among many other steps, the Commission recently addressed this priority by adopting a report and order aiming to maximize the potential of the 2.5 GHz band to bring advanced wireless services to those who for too long have been on the wrong side of that divide.

This is the single largest contiguous swath of mid-band spectrum below 3 gigahertz in the nation. And given its combination of coverage and capacity, it presents a big opportunity for 5G. But today, this valuable public resource is dramatically underused—especially west of the Mississippi River. That's partly because technological advances have rendered the original intended uses outdated and partly because arcane rules have hampered providers from putting the spectrum to its highest-valued use.

At long last at our July meeting, we removed the burdensome restrictions on this band, allowing incumbents greater flexibility in their use of the spectrum, and introduced a spectrum auction that will ensure that this public resource is finally devoted to its highest-valued use. These groundbreaking reforms will result in more efficient and effective use of these airwaves and represent the latest step in advancing U.S. leadership in 5G.

We also gave rural Indian tribes an exclusive window to obtain this spectrum to serve Tribal lands. Here's why. As I've seen for myself—from the Rosebud Sioux Reservation in South Dakota to the Navajo Nation in Arizona, from the Coeur D'Alene Reservation in Idaho to the Jemez and Zia Pueblos in New Mexico—the digital divide is most keenly felt in Indian Country. I want to make sure that those committed to connecting Tribal members in rural areas are given a strong opportunity to succeed. A Tribal priority filing window will help the most marginalized communities in the country gain access to services using this transformative spectrum band.

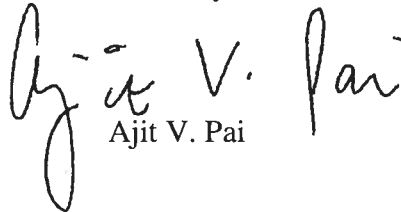
Following the Tribal priority window, the remaining unassigned 2.5 GHz spectrum will be made available for commercial use through a spectrum auction. Accordingly, we declined to adopt priority windows for non-incumbent educational institutions or incumbent licensees. Here's why. Experience suggests that the past is highly likely to be prologue. And today, an overwhelming number of today's EBS licensees lease an overwhelming amount of EBS

spectrum out to wireless companies. They don't use it for educational purposes. Indeed, over 95% of current license-holders for our 2,193 EBS licenses today lease much of this spectrum to non-educators. This longstanding arbitrage has been unhelpful to consumers for many years, and extending this middleman model even further makes no sense.

Moreover, significant public interest benefits follow from the approach we took. We adopted an overlay auction with county-size licenses. We adopted a band plan that benefits all operators. And we adopted bidding credits for small entities. This approach would encourage small companies to participate—companies like Midco, Carolina West Wireless, Pioneer Cellular, Viaero Wireless, AST Telecom, Wave Wireless, and Paladin Wireless. These are the foot soldiers of the digital revolution in rural and low-income America. These are the providers that will use this public resource to benefit the entire public. These are the companies that support the approach we've taken.

Thank you once again for your letter. Please let me know if I can be of any further assistance.

Sincerely,

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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 17, 2019

The Honorable Ben Sasse
United States Senate
136 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Sasse:

Thank you for your letter supporting the Federal Communications Commission's recent rulemaking regarding the 2.5 GHz band, specifically addressing the Educational Broadband Service (EBS) portion of that band. Closing the digital divide is the FCC's top priority. Among many other steps, the Commission recently addressed this priority by adopting a report and order aiming to maximize the potential of the 2.5 GHz band to bring advanced wireless services to those who for too long have been on the wrong side of that divide.

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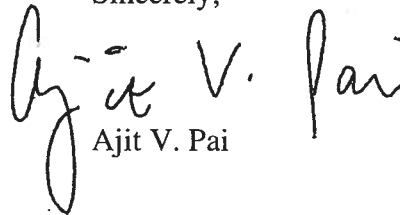
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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 17, 2019

The Honorable Adrian Smith
U.S. House of Representatives
502 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your letter supporting the Federal Communications Commission's recent rulemaking regarding the 2.5 GHz band, specifically addressing the Educational Broadband Service (EBS) portion of that band. Closing the digital divide is the FCC's top priority. Among many other steps, the Commission recently addressed this priority by adopting a report and order aiming to maximize the potential of the 2.5 GHz band to bring advanced wireless services to those who for too long have been on the wrong side of that divide.

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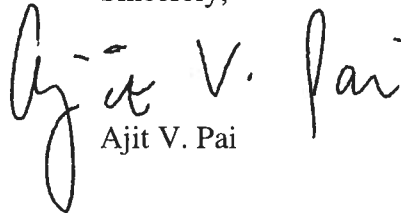
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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 17, 2019

The Honorable Deb Fischer
United States Senate
454 Russell Senate Office Building
Washington, D.C. 20510

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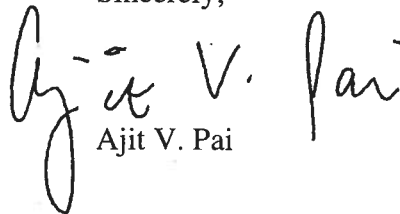
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Ajit V. Pai